



1 Copy rec'd

Noted (70) 2-5-70

PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF SPECIAL MEETING HELD

January 15, 1970

Pursuant to the Notice from the office of the State Engineer, and to call by the Chairman, the Board of Directors of the Provo River Distribution System convened at 10:00 a.m. in Room 200 of the Utah County Court House, Provo, Utah.

Chairman Niels Andersen presided.

On roll call, the following were present:

| | | |
|-----------------------------|---------|-----------------------------------|
| J. Edwin Ure, Vice Chairman | Group 1 | Kamas Valley Canals |
| Sherman A. Giles | " | 2 Upper Provo, East Heber Valley |
| Irwin O. Bowden | " | 3 Upper Provo, West Heber Valley |
| Glen A. Wright | " | 4 Provo City Canals |
| Stanley H. Roberts | " | 5 East Provo Canals |
| Niels Andersen, Chairman | " | 6 Provo Bench Canals |
| John W. Gillman | " | 7 Provo Reservoir Water Users Co. |
| Jack M. Gardner | " | 8 Provo River Water Users Assn. |

Absent:

Ernest Knight

Group 9 Upper Provo Individual Rights

Present from the State Engineer's Office were:

Hubert C. Lambert, State Engineer
Donald C. Norseth, Distribution Engineer
Frank Reese, Business Manager
Bryce Montgomery, District Engineer

Also present were:

B. Harold Mendenhall, Superintendent, Provo River Water Users Association
J. G. Haight, Utah Power and Light Company
David C. Johnson
Denna Brandenburg

Mr. Lambert opened the meeting, noting that the Attorney General was commencing to post notice authorizing the Commissioner to cease to deliver water to water users who are delinquent in paying their assessments. This, if successful, would avoid court action. Court action would be taken against those accounts not so collected. He further noted that the legislature had given his office a satisfactory budget, although less than had been requested; that he had included in his budget submitted to the legislature in 1969, a \$7,000.00 item to pay the salary of Mr. Pexton, who works full time on Distribution accounts; that the legislature had dropped this item, advising that it had to be borne by the water users as a distribution expense. The item was not carried to the water users, as it had not been budgeted by the water users and to some it would be prohibitive. The item was again included in the current budget with his explanation of why he had not and why it should not be carried to the water users and that he hoped and anticipated the legislature would go along with this. Thereupon, he turned the meeting over to Chairman Andersen.

CORRECTIONS, ADOPTION OF MINUTES OF SPECIAL MEETING, JANUARY 9, 1969:

At the request of the Chairman, Secretary Gardner read the minutes of the Special Meeting of the Directors of January 9, 1969. The following corrections were noted: Page 6, last paragraph, "wells in South Utah County" should read "wells in North Utah County"; Page 7, first paragraph, "DeLong" should read "Dave Long"; Page 8, first paragraph, "Paxton" should read "Pexton".

Secretary Gardner stated that the corrections would be made accordingly in the official Minute Book.

Thereupon, Director Giles moved that the minutes, as corrected, be adopted, seconded by Director Wright, and adopted unanimously.

NEW DIRECTOR APPOINTED:

Chairman Andersen advised State Engineer Lambert that Group 3, Upper Provo, West Heber Valley had appointed Mr. Irvin O. Bowden as its Director on the Board, replacing Mr. Floyd Bonner, past Director and Vice Chairman.

NOTIFICATION OF OFFICERS:

Chairman Andersen noted that at the annual meeting of the Board of Directors, a resolution was adopted wherein the Chairman and Secretary-Treasurer were re-elected and Director Ure was elected as Vice Chairman, replacing Mr. Bonner.

FINANCIAL REPORT OF 1969 OPERATIONS:

Mr. Reese then gave his Financial Report on the 1969 operations. He offered the following statement of finances, balances, receipts, and expenditures:

| 1969 Budget Item No. | Description of Budget Item: | Amount Approved for 1969 | Total 1969 Expenditures |
|----------------------------|---|--------------------------------|----------------------------|
| 1. | Commissioner's Salary | \$ 6,360.00 | \$ 6,360.00 |
| 1-A | Matching Social Security Tax | 305.28 | 305.28 |
| 1-F | Matching State Retirement | 254.40 | 262.38 ^{1/} |
| 2. | Deputy Commissioner's Salary | 5,040.00 | 5,040.00 |
| 2-A | Matching Social Security Tax | 241.92 | 241.92 |
| 2-F | Matching State Retirement | 201.60 | 207.90 ^{1/} |
| 3. | Office Rent Expense | 180.00 | 180.00 |
| 4. | Travel Expense | 1,500.00 | (1,310.98) |
| 4-A | Commissioner's Travel Exp. <u>\$.10/mile</u> | | 306.70 |
| 4-B | Dep. Commissioner's Travel Exp. <u>\$.15/mile</u> | | 1,004.28 |
| 5. | Field Equipment & Supplies | 50.00 | 18.29 |
| 6. | Office Equipment & Supplies | 200.00 | 90.31 |

| 1969 Budget Item No. | Description of Budget Item: | Amount Approved for 1969 | Total 1969 Expenditures |
|----------------------------|-------------------------------------|--------------------------------|----------------------------|
| 7. | Commissioner's Annual Report (1968) | 125.00 | 123.72 |
| 8. | Telephone Expense | 150.00 | (130.14) |
| 8-A | Commissioner's Telephone Exp. | | 77.90 |
| 8-B | Dep. Commissioner's Tele. Expense | | 52.24 |
| 9. | Committee Expenses | 400.00 | 218.60 |
| 10. | Bond and Insurance Premiums | 100.00 | 76.13 |
| 11. | Miscellaneous Expenses | 41.80 | 18.91 ^{2/} |
| 12. | Contractual Services | -0- | 50.00 ^{3/} |
| TOTAL 1969 BUDGET | | \$ 15,150.00 | \$ 14,634.56 |
| TOTAL 1969 ASSESSMENT | | \$ 13,700.00 | |

^{1/} Over-expended due to raise in State Retirement rates (4% to 4 1/4% on July 1, 1969)

^{2/} Central mailing expense of 1969 Annual and Delinquent Water Assessment Notices

^{3/} Contractual Services of Wallace R. Wayman during 1968.

Whereupon, Director Wright moved acceptance of the Financial Statement. Motion was seconded by Director Roberts and carried unanimously.

DELINQUENT ACCOUNTS DISCUSSED:

Mr. Reese noted that the delinquent accounts amounted to only \$204.76 and the majority of this amount was from four accounts, delinquent for six or more years, and that court action was contemplated for collection of these accounts.

INSURANCE FOR EMPLOYEES OF RIVER SYSTEMS:

Mr. Reese advised that the Board of Canal Presidents had instigated hospitalization and medical insurance group plans for its employees and that other River Systems will likely follow suit. The State covers its employees through Prudential Insurance Company and the commissioners would be covered under the same plan. Under this plan the premium is paid in advance, the yearly coverage being from July 16 to July 15. There are three plans available:

| | |
|-------------------|-------------------------|
| Family Plan | \$415.92 yearly premium |
| Employee and Wife | 301.20 " " |
| Employee Only | 133.68 " " |

The State pays approximately 29%, 40%, and 90% respectively, under each of these plans for its employees. This insurance will not cover anyone over 65 years of age.

BUDGET AND ASSESSMENT 1970:

Chairman Andersen advised that at the annual meeting of the Board that a budget and assessment had been approved and adopted and asked Secretary Gardner to present the budget and assessment.

Secretary Gardner advised that the items of the 1969 budget would remain the same, except for the first six items and item 11; that there had been given about a 5% raise in the Commissioner's and Deputy Commissioner's salaries. Item 1, Commissioner's Salary, was raised from \$6,360.00 to \$6,700.00; Item 2, Deputy Commissioner's Salary, was raised from \$5,040.00 to \$5,300.00; the matching Social Security (4.8%) and State Retirement (4¼%); Items 1-A and 1-F and 2-A and 2-F would be \$321.60 and \$284.75 and \$254.40 and \$225.25, respectively. Item 11 was adjusted from \$41.80 to \$64.00 to bring the 1970 budget to \$15,855.00, the approved amount.

Inasmuch as this budget would draw approximately \$2,100.00 from the Reserve Fund, leaving a little over \$4,000.00 in this Fund, the Assessment was increased from \$13,7000.00 to \$14,700.00. The budget and assessment were accepted by the State Engineer.

1970

Budget

| <u>Item No.</u> | <u>Description of Budget Item</u> | <u>Amount Approved</u> |
|-----------------|---|------------------------|
| 1 | Commissioner's Salary | \$ 6,700.00 |
| 1-C | Matching Social Security @ 4.8% | 321.60 |
| 1-F | Matching State Retirement @ 4¼% | 284.75 |
| 2 | Deputy Commissioner's Salary | 5,300.00 |
| 2-C | River System's Matching Social Security | 254.40 |
| 2-F | River System's Matching State Retirement | 225.25 |
| 3 | Commissioner's Office Rent Expense | 180.00 |
| 4 | Travel Expense | 1,500.00 |
| 4-A | Commissioner's Travel Expense (10½ mile) | |
| 4-B | Deputy Commissioner's Travel Expense (15½ mile) | |
| 5 | Field Equipment & Supplies | 50.00 |
| 6 | Office Equipment & Supplies | 200.00 |
| 7 | Commissioner's Annual Report | 125.00 |
| 8 | Telephone Expense | 150.00 |
| 8-A | Commissioner's Telephone Expense | |
| 8-B | Deputy Commissioner's Telephone Expense | |
| 9 | Committee Expenses | 400.00 |
| 10 | Bonds and Insurance Premiums | 100.00 |

| Budget Item No. | Description of Budget Item | Amount Approved |
|------------------------------------|----------------------------|-----------------|
| 11 | Miscellaneous Expenses | \$ 64.00 |
| Total 1970 Budget | | \$ 15,855.00 |
| <i>Note</i> *Total 1970 Assessment | | \$ 14,700.00 |

*Assessment set in the amount of \$14,700.00 and the overdraft of about \$1,155.00, depending on actual expenditures to be drawn from the reserve fund as of December 31, 1969, \$6,272.27

COMMISSIONER'S REPORT:

Commissioner McKellar reported that 1969 was a good water year and flooding did not occur to the extent forecast. Flooding was curtailed by the efficient operation of Deer Creek Reservoir. The Reservoir filled May 20. There was 544 acre feet brought over from Echo for the Provo Reservoir Water Users Company and Extension Irrigation Company; 19,401 acre feet was diverted through the Weber-Provo Diversion Canal; and 9,391 acre feet through the Duchesne Tunnel. The head of the river reservoirs filled with the exception of a small reservoir that needed repairs. The reservoirs stored 10,080 acre feet. The Wasatch Division was at 100% all year, except for a few days at the end of July and the beginning of August. The Provo Division was at 100% and with secondary water available all year.

Commissioner McKellar complimented Deputy Commissioner Giles on his efficient distribution of the water in the Wasatch Division of the Provo River and voiced his appreciation to the State Engineer and the Board for their fine cooperation during the year.

Deputy Commissioner Giles also voiced his appreciation for the fine association that he had with Commissioner McKellar and the State Engineer's office during the year.

Whereupon, Director Ure moved acceptance of the Commissioner's report, seconded by Director Bowden and carried unanimously.

STATE ENGINEER ADVISED OF RECOMMENDATION OF COMMISSIONER AND DEPUTY COMMISSIONER:

Chairman Andersen advised State Engineer Lambert that at the annual meeting held the day before, and by proper resolution, Hugh McKellar was recommended for Provo River Water Commissioner and Sherman Giles was recommended for Deputy Commissioner. Whereupon, State Engineer Lambert advised that the recommendations were accepted.

GAUGES INSTALLATION BY PROVO CITY:

Director Wright asked that Provo City be supplied the two gauges that had been purchased by the Distribution System and that Provo City would then install these gauges. Commissioner McKellar advised that he would acquire the gauges in the near future and make them available to Provo City.

DISCUSSION BY MR. MONTGOMERY, AREA ENGINEER:

Mr. Montgomery stated that the mapping under the Utah Lake and Jordan River Adjudication was complete in Salt Lake Valley, with the exception of the East canyons. Utah County was complete, except some areas at Santaquin and Alberta, and that claims are being prepared. The Woodland area and Kamas Valley are being mapped.

The South Fork area has been mapped and claims filed by the water users. The claims differ somewhat from the findings and it will be necessary to handle South Fork as part of the general Utah Lake and Jordan River Adjudication, rather than to distribute the water under the findings, as hoped.

There has been no change in the policy regarding underground water appropriations in Utah County and Provo River drainage area, and Kamas Valley noted that numerous exchanges were being affected or contemplated on the Upper Provo. These problems have added to distribution problems and greater burdens to the Commissioners.

Mr. Montgomery advised that Commissioner McKellar had delivered to the State Engineer numerous old records from the files of the past River Commissioners and that consideration had been given by the Board to turn these records over to the Historical Society. Mr. Montgomery requested, however, that these files and others that the Commissioner has, be filed with the State Engineer. That he, in going over these records, had found records of delivery (1902 to 1945) to Provo City, concerning the 16.5 c.f.s. decreed right that is in question and he believed these records contained other useful data. After due discussion, Director Ure moved adoption of the following resolution:

RESOLVED That any Commissioners' records, not needed for current river distribution by the Commissioner, be filed with the State Engineer for safekeeping.

The motion was seconded by Director Wright and carried unanimously.

O&M OF WEIRS AND MEASURING DEVICES ON RIVER SYSTEM:

Chairman Andersen inquired of Commissioner McKellar if the measuring devices on the Provo River System were kept in good repair.

Commissioner McKellar advised that the weirs were generally in good condition. There was a problem with a weir at 1700 North that was replaced by the State Road and does not operate because of being submerged. He had written the State Engineer about the matter and anticipated it would be taken care of.

ADJOURNMENT:

Chairman Andersen expressed his appreciation to the State Engineer for the fine cooperation extended and stated that he felt the Provo River Distribution Board was functioning very harmoniously and that the Commissioner and Deputy Commissioner were doing a fine job in the distribution of the river system. Whereupon, Director Wright moved adjournment and the motion was seconded by Director Giles. Meeting adjourned at 12:05 p.m.

Jack M. Gardner, Secretary